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SUBJECT: SENEGAL: 2008 TIP REPORT

11. (SBU) As was the case in previous years Senegal continues to devote, time, resources and attention to combating trafficking in persons.

12. (U) responses are keyed to questions in reftel.
Begin TIP report

PARA 23: THE COUNTRY'S TIP SITUATION

1A. Information on trafficking is gathered from the government, NGOs, the media, security services and site visits by Embassy officers. Organizations working directly with trafficking victims such as the International Organization for Migrations (IOM) and the government's Ginndi center are very reliable. Media and government sources are generally reliable.

1B. Senegal is a source, transit and destination country for children and women trafficked for the purposes of forced labor, begging and commercial sexual exploitation. While there are no reliable statistics for the total extent of human trafficking in Senegal, a joint November 2007 report by UNICEF, the ILO and the World Bank said that there were 7,600 street children begging in Dakar alone and that 90 percent of them were talibes. The report also said that 95 percent of these children were either from out of Dakar or from outside the country. Trafficking within the country is more prevalent than trans-border trafficking. Boys who are students (talibe) at some Koranic schools are trafficked within the country for forced begging by their religious teachers (marabouts. Women and girls are trafficked for domestic servitude. Girls, and possibly adult women, are also trafficked internally for sexual exploitation. Trans-nationally, boys are trafficked to Senegal from The Gambia, Mali, Guinea-Bissau and Guinea for forced begging by unscrupulous religious teachers. Senegalese women and girls are trafficked to neighboring countries, the Middle East and Europe for domestic servitude and possibly for sexual exploitation.

Senegal's trafficking problems are both internal and transnational and no one group or gender is targeted.

Young Senegalese boys continue to be trafficked from rural villages to urban centers for exploitative begging at some Koranic schools (daaras). Young boys are trafficked to Senegal from The Gambia, Guinea-Bissau, Mali and Guinea for the same purpose.

Young girls are trafficked from poor villages in the regions of Diourbel, Fatick, Kaolack, Louga, Kolda, Saint Louis (Fouta), Thies and Ziguinchor to urban centers to work as underage maids. Young girls from both urban and rural areas are involved in illegal prostitution, which NGOs claim always involves an adult pimp who facilitates their commercial sex transactions or houses them.

The issue of trafficking of adult women remains hazy . Police officials, international organizations and NGOs have indicated that trafficking of women for use in prostitution occurs in Senegal, but there is little concrete data to support this. NGOs working with illegal prostitutes have provided anecdotal evidence. ENDA Sante, a Senegalese NGO, treats prostitutes for STIs through a mobile clinic program. According to their staff, they continued to see many women from nearby African countries --Nigeria, Ghana, Sierra Leone, Liberia, Guinea-Bissau and Guinea --practicing illegal prostitution in Senegal.

Association AWA, an NGO providing health care and vocational training to women in prostitution, reported that physically abused women occasionally come in to be treated. They are sometimes accompanied by another person to get tested for HIV/AIDS. AWA believes some of these women may be trafficking victims and the persons accompanying them may be traffickers. AWA also said they see many female prostitutes from Liberia, Ghana, Sierra Leone and Nigeria. Last year AWA gave 625 sex workers psychological assistance, and 510 medical assistance.

1C. Children trafficked to Senegal are forced into exploitative begging. Separated from their families and support systems, children must choose between staying with their trafficker or a life on the street as runaways. Many children are too young to remember with any detail the village from which they came and forget their families. Newspapers have reported on cases of physical abuse committed by marabouts against their students. Koranic teachers who abuse their students have been prosecuted under TIP laws and sent to prison.

Young prostitutes are either sent by rural parents to urban areas to

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find work, or leave urban homes to work on the streets. While parents do not send their daughters to become prostitutes, with rare exceptions, NGOs working with underage prostitutes claim parents are aware of the fact their daughters prostitute themselves because they leave the house at night, and they have an otherwise unexplainable source of income. Almost all underage prostitutes have Senegalese pimps who entice their victims with promises of money and work. NGO ENDA ECOPOLE has created a center where young domestic girls can get vocational training after work, in tie dye and sewing, as well as a basic education. These activities also prevent girls from wandering the streets at night and being targeted as potential victims for trafficking.

Weak civil administration, porous borders and the ease of obtaining fake identity documents, the abundance of foreign tourists and potential visa sponsors, freedom of movement between Economic Community of West African States (ECOWAS) member states without the need to present a passport, direct flights from Senegal to Europe and national stability entice adult women from other African countries to come to Senegal for sexual purposes. If these women are trafficked, it is unclear who their traffickers are, or what methods they use to approach victims. NGOs think that while some Senegalese women could be trafficked to North Africa, Europe and the Middle East for sexual purposes, as has been reported in the past, most of them tend to remain in Senegal.

1D. As mentioned above young girls and boys are the most vulnerable victims. The situation of older girls and women who end up in prostitution is somewhat more nebulous, but they can still be classified as a vulnerable group, although much less so than young girls and boys.

1E. Although trafficking in Senegal still remains informal and done by individuals, a network that was trafficking women from Senegal to the sub-region and to Lebanon to work as domestics was dismantled and its leader, Victor Naja, was arrested and is currently in jail awaiting trial. Aside from this one case, girls sent away to work as maids often work in family members' or family friends' homes. In such cases, poor rural families expect money will be sent back to the home to help provide badly needed income to buy food and clothes. In most cases the families receive the money when the

trafficker returns to the village. These relationships and a family's expectation of income make it very difficult for young girls, who are sometimes sexually abused, to leave their jobs. For child victims, parents who entrust young boys into the care of a Koranic teacher, or send a female child to work as a domestic, oftentimes know the trafficker. Therefore, parents are as responsible as teachers in the trafficking of persons. Marabouts frequently return to their home villages and receive children from parents hoping to provide them a Koranic education. This kind of education is more valued than a secular education by the Senegalese, especially in the formative years of between 4-7 years. Generally, parents are not offered money to turn young boys over to Koranic teachers, and young boys are never sold.

PARA 24: SETTING THE SCENE FOR THE GOVERNMENT'S ANTI-TIP EFFORTS

1A. The government does acknowledge that trafficking is a problem.

1B. The GOS has continued to show significant political will to combat human trafficking. The GOS-established Ginndi Center has maintained its intake of at-risk children and continues to expand its operations. The Ministry of Family, Social Development and Women's Entrepreneurship runs a program for daaras, in which they provide teaching aids, submit language components, train Koranic teachers, offer school supplies and run awareness campaigns.

In addition, the Direction for Child Protection organized a series of training seminars for journalists and security forces based in the regions of Kolda, Tambacounda, Ziguinchor, Matam, Saint Louis and Kaolack. These training sessions were conducted by social and labor workers, gendarmes, policemen, magistrates, and civil society.

The Ministry of Justice also provided human trafficking sensitization training for 70 judges in 2008. The judges were from courts in Dakar, St Louis and the Court of Appeals in Kaolack.

The Criminal Analysis Unit continues to add trafficking related offenses into its electronic database. However even though human trafficking is an offense under domestic law, few such cases are included in the database. The unit is associated with INTERPOL but lacks financial and human resources to fully devote to trafficking issues. Although specialized police squads have been posted in border regions, the Commissioner of Police noted that police lack

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the financial incentive and time to actively pursue trafficking cases and input data into the database.

The Interior Ministry Special Commissariat to help fight sex tourism has set up an office ("Brigade de Mineurs" - Under Age squads) in Dakar. Local police and gendarmerie say they need more cooperation from citizens who are the only ones that can identify the houses where pedophilic tourists live. They recommend more awareness campaigns to inform people about the dangers of pedophilia and its effects to children. The Ministry also has a special tourism police unit (Direction of Regulation and Control) with one office in Dakar.

As part of a Time-Bound program with the ILO, Senegal works toward the eradication of child begging, underage domestic work, and underage prostitution as three of Senegal's worst forms of child labor.

1C. Senegal is one of the poorest countries in the world, ranking 153rd on the UN's Human Development Index, and has limited ability to effectively prosecute, prevent trafficking or protect trafficking victims. Police are underpaid and lack adequate equipment and resources to effectively do their jobs, while gendarmes guarding the borders are few and far between. In addition to its public revenue problems, the government's bureaucratic structure and reliance on highly centralized decision-making stand in the way of reform. Corruption exists throughout government and, notably, in law enforcement. Trafficking represents only one of many vexing social and economic problems with which the Government must contend. The fact that recruiters of young boys exploit a legitimate, socially prevalent desire for a religious education provides "cover" within local communities, and decreases the possibility of government intervention.

¶D. The GOS does not have the systematic means in place to monitor anti-trafficking efforts and does not submit reports. However, the Ministry of Family and Human Rights Commissioner continues to lead a sustained and somewhat organized effort to fight trafficking and child begging. The Human Rights Commissioner is the focal point and the coordination agency for all ministries involved in working against trafficking in persons, and the Ministry of Family is the executive and operational body that executes activities on trafficking.

PARA 25: INVESTIGATION AND PROSECUTION OF TRAFFICKERS

¶A. On April 29, 2005, the National Assembly unanimously adopted a comprehensive anti-TIP law. Under the law, those who recruit, transport, transfer or harbor persons, whether by means of violence, fraud, abuse of authority or otherwise for the purposes of sexual exploitation, labor, forced servitude or slavery are subject to punishment of 5 to 10 years' imprisonment and a fine of between USD 10,000 and 40,000 (5 to 20 million CFA francs (CFAF)). When the violation involves torture, barbarism, the removal of human organs or exposing the victim to a risk of death or injury, jail time can range from 10 to 30 years imprisonment.

Though Senegal now has an effective legal tool for fighting human trafficking, the law has been used primarily to combat those who smuggle illegal immigrants from Senegal to Spain. The anti-TIP law has also been used to convict Koranic teachers who have abused talibes.

Other statutes have been used to prosecute and convict traffickers. For instance, Senegal's constitution forbids slavery, the labor code prohibits forced labor, and begging is illegal under the penal code.

Senegalese have not historically viewed exploitative begging as slavery or forced labor, and the anti-begging law is not enforced against any beggars, trafficking victims or otherwise.

Pimping and soliciting customers are illegal. Current laws regulating prostitution yield arrests, including arrests of foreign illegal prostitutes, underage prostitutes and pimps. NGOs working with prostitutes, however, claim the problem is bigger than official statistics suggest, especially in the southeast of the country in the Kedougou region where gold mining and porous borders attracts many prostitutes. The HIV rate in that zone is estimated to be at least three times higher than the national average.

A few Koranic teachers who physically abuse their students are arrested and prosecuted each year. In most cases, students were beaten for failing to meet their daily begging requirements. NGOs assisting Koranic school students explain that Koranic teachers who

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violently enforce daily begging requirements are usually the most exploitative and most likely to be traffickers rather than bona fide Koranic teachers. At the Ginndi Center, the Family Ministry received students who had been beaten by their Koranic teachers. No cases have been reported this year.

¶B. Any offense against the decency of a child is punishable by imprisonment for 2 to 5 years and in some aggravated cases up to 10 years. Procuring a minor for prostitution is punishable by imprisonment for 2 to 5 years and a fine between USD 575 and 7,600 (300,000 and 4,000,000 CFAF). The penalties for sex trafficking (whether for a minor or an adult) are more severe.

¶C. As of June 2007, ILO reported that 7,600 children in Dakar, and 5,000 from the interior and neighboring countries were working in Senegal.

¶D. The GOS prosecuted individuals responsible for rape, pedophilia, prostitution and abuse of talibes children. Penalties for rape vary between 5 to 10 years imprisonment and a fine of USD 400 (200,000 CFAF) and 6,000 USD (3,000,000 CFAF). Penalties for violence against children can vary from 5 to 10 years imprisonment and a fine between USD 11,000 (2,000,000 CFAF) to USD 44,000 (20,000,000 CFAF). Jail sentences range between 10 to 30

years in cases of torture. People who organizing child begging risk 5 years of prison and a fine between USD 1,000 (500,000 CFAF) to USD 4,000 (2,000,000 CFAF). The Population and Reproductive Healthcare Institute of the University of Dakar reported that among abused children, sixty five percent have been raped. The same study discovered that violence against children occur in different locations: forty five percent of child sexual abuse occurs inside the family compound; seventeen percent in the streets; ten percent at school; and six percent in the daara. As said earlier, parents are more often than not complicit in trafficking.

1E. According to Brigade des Mineurs, there were no reports of traffickers being arrested in 2008.

1F. GOS representatives attend NGO events on trafficking-related and child protection themes, which helps generate greater turnout and public awareness of Senegal's trafficking problems. The Ministry of Family, under the Department of Child Protection, has continued Save the Children funded training seminars hosted by the Center for Judicial Training to educate policemen, gendarmes, social and hospital workers, judges and lawyers and civil society organizations about the dangers of child trafficking and the actions that need to be taken to stop it. The Ginndi center staff also receives training on the dissemination of the anti-TIP law, and has created a watch and alert committee that continue to implement citizen education programs. Meanwhile, a database system called Connexions Sans Frontiers which is supported by the Ministry of Family includes a training module for the ten associations that are utilizing this computerized system to keep track of trafficked children.

1G. Senegalese and Malian authorities continued to repatriate Malian children. The GOS works regularly with foreign security services on clandestine immigration and human smuggling cases. In 2008 the Senegalese Ministry for Families along with the Malian government and the ILO implemented a 12 month anti-TIP project encompassing Senegal, Mali, the Ivory Coast, Guinea and Burkina Faso. The project collected information on the parameters of regional trafficking and organized 4 workshops that trained 60 individuals involved in the fight against trafficking (In Burkina Faso between 23-25 June, in Dakar between 7-9 July, in Conakry between 14-16 July and in Abidjan Between 11-13 August). In December 2008, 68 best practices in the fight against trafficking were indentified and validated for implementation by the aforementioned countries. Last year IOM in conjunction with the Ginndi center and Empire Des Enfants repatriated or reintegrated 119 children in total. 47 were returned to Guinea-Bissau, 3 to Mali, 1 to Mauritania and 1 to The Gambia. The remainder were all Senegalese and returned to their families.

1H. The GOS can extradite individuals but has not done so for trafficking purposes.

1I. There is some evidence of government tolerance of trafficking for forced begging on a local or institutional level.

1J. No GOS officials are known to have been involved in trafficking.

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1K. Prostitution is legal in Senegal. To legally practice prostitution, a woman must be at least 21 years old, register with the police, carry a valid sanitary card and test negative for STIs and HIV/AIDS. Searching for clients and pimping are illegal.

1L. No Senegalese have been implicated or involved in investigations of trafficking by peacekeepers.

1M. The Ministry of Tourism has created a police unit to fight against sexual tourism in the principal tourist destinations of Dakar, Mbour, Ziguinchor, Fatick and Saint Louis. No foreign Pedophiles were arrested in 2008.

PARA 26: PROTECTION AN ASSISTANCE TO VICTIMS

1A. The Ginndi Center provides various services to assist trafficking victims regardless of their country of origin. These services include medical treatment, family mediation and reconciliation, education, shelter and meals, and repatriation of children to their mother lands. Last year, the center's child protection hotline received a total of 17,501 calls (971 calls from Koranic teachers alone, 912 calls from parents, 715 calls from children, 1,815 calls related to children, and 13,003 from unanimous callers concerning children and young girls and calls asking for information about the center). The center assisted 949 children, all of whom received medical care. A total of 807 children were reunited with their families in Senegal, Guinea Bissau, Mali, Guinea Conakry and the Gambia; 69 children were trained in vocational centers (cooking, carpentry and sewing). A total of 260 street interventions (20 interventions per month) were conducted to convince children to join the center. In addition to that, the Ginndi center organized street interventions during the two major religious festivals of the year: The Magal of Touba (10 interventions) and the Gamou of Tivaouane (10 interventions).

1B. The Ginndi Center is used for trafficked and at-risk children. While the Government funds most operations, international partners provide some assistance. The U.S. renovated the dormitories and built a wall around the center and provided medical equipment to the health unit.

1C. NGOS are not funded by the government. They receive funds from international organizations and other donors such as embassies and foundations.

1D. The Ministry of Family, under the association "Connexions Sans Frontieres" is using a computerized database to track trafficked children. The GOS also works with IOM to help the return of children to their countries of origin.

1E. The Government has provided basic shelter and medical assistance to victims, usually in coordination with NGOs and international organizations. The government uses its Ginndi center to provide assistance to trafficked victims: shelter, food, medical care, vocational training and education, while waiting to repatriate victims to their home countries.

1F. All cases of trafficking are referred to the Ginndi center. Victims once identified as being trafficked by law enforcement officials are transferred to the center for eventual repatriation.

1G. Statistics provided by IOM indicate that 325 TIP victims were identified in 2008.

1H. NGO AWA told Embassy that all sex worker victims of trafficking have an identification card that states they went through a compulsory AIDS screening test. Likewise, the Brigade des Mineurs states that once indentified as victims of trafficking they are taken either to Le Dantec, Principal or Polyclinique hospitals for HIV/AIDS tests before further questioning.

1I. Victims' assistance in investigations is done behind close doors. The rights of trafficked victims are generally respected.

1J. According to the anti-TIP law, victims' rights are guaranteed under Articles 12 and 17. Under the law, trafficking victims cannot be prosecuted for acts committed as a result of their being trafficked. The law also protects the identity of victims and permits closed door testimony to encourage them to serve as witnesses. They also are permitted to remain temporarily or permanently on national territory under the status of resident or refugee. Victims have a right to an attorney. If they cannot afford one, one will be provided to them.

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1K. The government has not yet provided any specialized training to government officials in identifying trafficking victims and assisting trafficked children. The Ministry of Interior has applied for and technically received approval from Department for ICITAP funds that have yet to arrive to support such a program.

¶M. The following is a non-exhaustive list of NGOs working with trafficking victims, their primary target group(s) and services: TOSTAN (Koranic students, health, education and nutrition); Avenir de l'Enfant (trafficked boys and underage prostitutes, shelter, nutrition, education and reconciliation); ATT (Koranic students, health and education); ENDA Sante (illegal prostitutes, health); ONDH (Children in prisons); Enda Ecopole (Abused Domestic maids); and AWA (prostitutes, job training and health). RADDHO, which works with Koranic students, underage prostitutes, and domestics, has a program for the Socio-Professional Integration of Young Migrant Victims of Trafficking. Local authorities support NGO programs through their attendance at public events, collaboration on program strategies and activities and use of public spaces for activities.

International organizations include: the World Bank (street children); UNICEF (underage domestics, underage prostitutes and Koranic students, education and job alternatives); IOM (trafficked children, coordinates repatriation of children); Save the Children Sweden (Koranic students, education); and ILO (underage domestics, underage prostitutes and Koranic students, education and job alternatives).

PARA 27: PREVENTION

¶A. The Ministry of Family, through its Child Protection Office, conducted studies on TIP from January 2008 to January 2009 to collect information on TIP issues that resulted in the training of 60 participants from the judicial court, security and police agents, government social workers, civil society and NGOs' representatives. In addition, a workshop was held in Dakar (July 7-9, 2008) focused on preventing TIP, protecting victims, and how to prosecute traffickers.

¶B. The Ministry of Interior, through its Bureau for Investigations, works closely with Interpol to monitor immigration and emigration patterns for evidence of trafficking. Organized clandestine migration by any means is punished for 5 to 10 years of imprisonment and a fine between USD 2,000 (1,000,000 CFAF) to USD 11,000 (5,000,000 CFAF).

¶C. While there is no formal referral process between the GOS and NGOs, close working relationships between local government officials and NGOs active in their districts allow for information exchange and intervention in particular cases. The Ministry of Family works closely with many Senegalese NGOs, such as RADDHO, Avenir de l'Enfant and La Lumiere. The Interior and Justice Ministries have a program with IOM to monitor migration flows across Senegal's borders. Justice Ministry officials worked with IOM staff in the past to organize and analyze criminal statistics. A number of NGOs, such as ENDA Ecopole, which works primarily with women and children, and Avenir de l'Enfant report cooperative relations with some Senegalese officials, such as the Minister of Family, and the police, who often refer individual cases to such NGOs. As part of its program against the worst forms of child labor, the Family Ministry, along with its department of youth protection, has held workshops and roundtables in Mbour, Dakar and other areas to fight child begging, underage domestic work and underage prostitution.

¶D. The GOS adopted the ECOWAS plan on trafficking of persons in 2004. The Director of the office of Child Rights Protection confirmed that the Ministry of Family, the Ministry of Justice and the Ministry of Interior worked together with the French Cooperation on a national action plan on trafficking that was finalized on June 24, 2008. The National Action Plan on Trafficking in Persons includes the following targets or goals: implementing prevention and awareness campaigns on TIP; protecting TIP victims; enhancing TIP law enforcement by the government (with a focus on securing national borders); TIP training for Customs, Police, Gendarmerie, health agents; the creation of a program to assist and reinsert victims back into society. According to the plan, the High Commission for Human Rights will continue to coordinate TIP meetings. This Action Plan is currently before the Cabinet awaiting approval.

¶E. The government has little or no means to reduce demand for

commercial sex, as it has legalized it. With 700 km of beach and more than 250 hotels, Senegal is a tourist country and this sector represents six percent of the national GDP. Since colonial times, the government has had a health clinic in Dakar which now serves as a center where sex workers can receive care for STDs and get tested for HIV/AIDS.

F. None that we are aware of.

G. No Senegalese peacekeeping forces were reported to have been involved in trafficking.

28. HEROES: Embassy Dakar is pleased to nominate Maitre Ndiame GAYE who is a magistrate working at the High Commissary of Human Rights. His office is the GOS focal point on trafficking in persons and monitors all other ministries dealing with the issue of trafficking:

Ministry of Family and Women, Ministry of Interior, Ministry of Justice, Ministry of Education, Ministry of Tourism. Each month, Me Gaye leads meetings to coordinate discussions and outlines the steps that need to be followed to better disseminate the anti-TIP law across the country and to urge GOS agencies to apply the law. He works closely with national and international NGOs to find the best solutions to defeat this modern day slavery. Apart from his job of coordinating this office, Me Gaye goes beyond the scope of his assigned work to help and assist GOS agencies and other entities to conduct successful TIP workshops. He is very well appreciated by audiences because of the pertinence of his speeches.

29. BEST PRACTICES

Mission highlighted NGO AWA's work as a "best practice" in last year's reporting cable, but it was not included in the TIP Report. AWA is a Senegalese NGO that works with former and current prostitutes to provide medical care, vocational training and other services to encourage them to find an alternative profession. AWA has launched a new project to train large numbers of women in cooking, sewing, tie-dye and other skills to generate income. It will also combine advocacy and awareness programs to teach women about the dangers of prostitution. We are recommending this project as a best practice, because it is unique in its attempt to not only pull large numbers of vulnerable and possibly trafficked women out of the perilous field of prostitution but also provide them with another way to earn an income and contribute not only to their families but also to Senegalese society and economy.